

ORDINANCE NO. 2002- 17

**AN ORDINANCE ADOPTING FINDINGS AND CONCLUSIONS TO APPROVE AN ANNEXATION (ZCA) 2002-00001/FERN STREET ANNEXATION AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, WASHINGTON COUNTY STREET LIGHTING DISTRICT #1, AND THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT.**

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**WHEREAS**, the City of Tigard is authorized by ORS 222.120(4)(B) and 222.170 to initiate an annexation upon receiving consent in writing from a majority of the electors registered in the territory proposed to be annexed and written consent from owners of more than half the land in the territory proposed to be annexed; and

**WHEREAS**, the City of Tigard is authorized by ORS 222.120(5) and 222.520 to withdraw properties which currently lie within the boundary of the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District upon completion of the annexation; and

**WHEREAS**, the Tigard City Council held a public hearing on May 14, 2002 to consider the annexation of six (6) parcels of land consisting of 12.32 acres and withdrawal of said property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District; and

**WHEREAS**, pursuant to ORS 222.520(2) the City is liable to the Water District for certain debt obligations, however, in this instance the Water District has no debt for the City to assume, therefore, no option regarding the assumption of debt needs to be made; and

**WHEREAS**, pursuant to Metro 3.09, ORS 222.120 and 222.524, notice was given and the City held a public hearing on the issue of the annexation into the City and withdrawal of the annexed property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District on May 14, 2002; and

**WHEREAS**, pursuant to ORS 222.524, the City must declare the withdrawal of annexed properties from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District by Ordinance; and

**WHEREAS**, the Tigard Development Code states that upon annexation, the zone is automatically changed to the City zoning most closely conforming to the County zoning; and

**WHEREAS**, the current and proposed zoning district is R-7, therefore, no zone change is necessary; and

**WHEREAS**, the annexation has been processed in accordance with the requirements of Metro 3.09 and has been reviewed for compliance with the Tigard Community Development Code and the Comprehensive Plan and the annexation substantially addresses the standards in Metro 3.09 regulating annexations; and

**WHEREAS**, the City Council has carefully considered the testimony at the public hearing and determined that withdrawal of the annexed properties from the applicable service districts is in the best interest of the City of Tigard.

**NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:**

**SECTION 1:** The Tigard City Council hereby annexes the parcels described in the attached **Exhibit "A"** and shown in **Exhibit "B"** and withdraws said parcels from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District.

**SECTION 2:** This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor and posting by the City Recorder.

**SECTION 3:** The City Recorder is hereby directed to file certified copies of the Ordinance with Metro for administrative processing.

**SECTION 4:** Pursuant to ORS 222.120(5), the effective date of the withdrawal of the property from the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District shall be the effective date of this annexation.

**SECTION 5:** Pursuant to ORS 222.465, the effective date of the withdrawal of this property from the Tigard Water District shall be July 1, 2003.

**SECTION 6:** In accordance with ORS 222.180, the annexation shall be effective upon filing with the Secretary of State.

**PASSED:** By unanimous vote of all Council members present after being read by number and title only, this 14<sup>th</sup> day of May, 2002.

Catherine Wheatley  
Catherine Wheatley, City Recorder

**APPROVED:** By Tigard City Council this 14<sup>th</sup> day of May, 2002.

James E. Griffith  
James E. Griffith, Mayor

Approved as to form:

Jim H. Reem  
City Attorney

5.14.02

Date

**ANNEXATION DESCRIPTION**  
**(ZCA2002-00001/FERN STREET ANNEXATION)**  
**(Option #2)**

A tract of land situated in the Northwest One-quarter of Section 4 Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County, Oregon described as follows:

Beginning at the Northwest Corner of lot 22 Handy Acres as recorded in Book 10 Page 31 of the Washington County Subdivision records; thence S 00° 42' 58" W, along the west line of lot 22, a distance of 905.12 feet to the Southwest corner of lot 22; thence N 89° 43' 30" E, along the south line of lots 22&23 Handy Acres, a distance of 340.00 feet to the Southeast corner of lot 23; thence N 00° 42' 58" E, along the east line of lot 23, a distance of 474.84 feet; thence N 89° 17' 49" W a distance of 20.39 feet; thence N 14° 44' 11" E a distance of 87.71 feet to a point of curve of a curve to the left; thence along said curve to the left with a radius of 125.00 feet, a delta of 14° 02' 00", (a chord which bears N 7° 43' 11" E 30.54 feet) and a length of 30.62 feet to a point of tangency; thence N 00° 42' 11" E a distance of 143.64 feet to a point of curve of a curve to the right; thence along said curve to the right with a radius of 25.00 feet, a delta of 111° 47' 35", (a chord which bears N 56° 35' 59" E, 41.40 feet) and a length of 48.78 feet to the southerly right-of-way of SW Fern Street; thence S 67° 30' 14" E, along said right-of-way, a distance of 170.53 feet to a point of curve of a curve to the left; thence along said curve to the left with a radius of 741.25 feet, a delta of 12° 46' 29" (a chord which bears S 73° 53' 28" E, 164.93 feet) and a length of 165.27 feet to the Northeast corner of lot 25 Handy Acres and the Northeast corner of Tract "E" Hillshire Woods; thence N 00° 42' 57" E, leaving said southerly right of way, a distance of 50.67 feet to the northerly right-of-way of SW Fern Street, to the Southeast corner of lot 6 Handy Acres and a point of on a curve to the right; thence along said curve to the right with a radius of 691.25 feet, a delta of 12° 07' 02" (a chord that bears N 73° 33' 45" W, 145.92 feet) and a length of 146.19 feet; thence N 67° 30' 14" W, along said northerly right-of-way, a distance of 485.68 feet to the point of curvature of a curve to the left; thence along said curve to the left with a radius of 383.12 feet, a delta of 30° 52' 44" (a chord that bears S 87° 27' 25" E, 261.48 feet) and a length of 266.85 feet to the Southeast corner of lot 11 Handy Acres; thence N 00° 42' 49" E, along the east line of said lot 11, a distance of 381.19 feet to the Northeast corner of said lot 11; thence S 89° 30' W a distance of 170.01 feet to the Northwest corner of said lot 11; thence S 00° 42' 53" W a distance of 490.37 feet to the Southwest corner of said lot 11 and a point on a curve to the left; thence along said curve to the left with a radius of 383.12 feet, a delta of 3° 32' 40" (a chord that bears S 39° 48' 43" W, 23.70) and a length of 23.70 feet to a point of reversing curve of a curve to the right; thence along said curve to the right with a radius of 333.75 feet, a delta of 51° 40' 00" (a chord that bears S 63° 44' 46" W, 290.87 feet) and a length of 300.96 feet to a point of tangency; thence S 89° 34' 46" W, along said northerly right-of-way, a distance of 234.72 feet to the Southeast corner of lot 15 Handy Acres; thence N 00° 43' 00" E a distance of 635.82 feet to the Northeast corner of said lot 15; thence S 89° 30' 00" W a distance of 130.00 feet; thence S 00° 43' 00" W a distance of 685.65 feet to the southerly right-of-way of SW Fern Street, thence N 89° 34' 46" E, along said southerly right-of-

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way, a distance of 365.71 feet to a point of curve of a curve to the left; thence along said curve to the left with a radius of 383.75 feet, a delta of  $51^{\circ} 40' 00''$  (a chord that bears N  $63^{\circ} 44' 46''$  E, 334.44 feet) and a length of 346.05 feet to a point of reversing curve to the right; thence along said curve to the right with a radius of 333.12 feet, a delta of  $61^{\circ} 34' 17''$  (a chord that bears N  $68^{\circ} 34' 17''$  E, 341.00 feet) and a length of 357.98 feet to the point of Beginning.

Containing 12.32 Acres

# VICINITY MAP

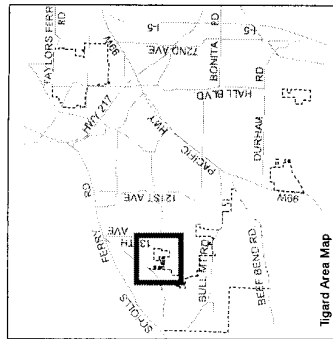
ZCA2002-00001

## FERN STREET ANNEXATION

EXHIBIT B  
Option #2  
(6 Parcels)

**BEAVERTON**

**TIGARD**



0 400 800 Feet

1"= 505 feet



City of Tigard

Information on this map is for general location only and should be verified with the Development Services Division.  
13125 SW Hail Blvd  
Tigard, OR 97223  
(503) 639-4171  
<http://www.ci.tigard.or.us>